

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. No: 09/720,300
Applicant: Hans R. Brunner
Filed: April 9, 2001
Title: DEVICE FOR INTERMITTENT COMPRESSION
TC/A.U.: 3762
Examiner: Frances P. Oropeza
Docket No.: SSM-487US

REQUEST FOR REFUND
(Improper Charge of Deposit Account)

Mail Stop 16
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I. REFUND REQUEST

This is a request for refund with respect to the charge to Deposit Account No. 18-0350 shown on the statement dated December 10, 2004 for the above-identified application/ patent.

Accompanying this request is a copy of the monthly statement on which the referred error is listed.

II. FEES CHARGED FOR WHICH REFUND IS REQUESTED

		Amount of Refund Requested
<input type="checkbox"/>	Filing Fee	\$ 0
<input type="checkbox"/>	Surcharge for filing the basic filing fee on a date later than the filing date of the application (37 CFR 1.16(e))	\$ 0
AND/OR		
<input type="checkbox"/>	Surcharge for filing the oath or declaration on a date later than the filing date of the application (37 CFR 1.16(e))	\$ 0
<input type="checkbox"/>	Extension of time - months	\$ 0
<input checked="" type="checkbox"/>	Excess claims	\$ 176
<input type="checkbox"/>	Issue Fee	\$ 0
<input type="checkbox"/>	Petition Fee	\$ 0
<input type="checkbox"/>	Patent Maintenance Fee - year	\$ 0
<input type="checkbox"/>	Patent Maintenance Fee Surcharge	\$ 0
<input type="checkbox"/>	Other (please explain)	\$ 0
	TOTAL REFUND REQUESTED	\$ 176

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

The applicant has paid all the required fees for pending claims over 20 and independent claims over 3 as shown in the table below.

Filed	Date	Action	Total claims/independent claims (paid for claims)	Fees Paid for excess claims	Fees Due
Applications and Preliminary Response	12/22/00		18/3	0	0
Responses	6/13/03	Added 9 claims (1 independent and 8 dependent)	27/4	$7 \times 9 = \$63$ $1 \times 42 = \$42$	0
RCE and Preliminary Amendment	1/26/04	Added 3 claims (0 independent, 3 dependent)	30/4	$3 \times 9 = \$27$	0
Response	2/19/04	Cancelled 7 claims Added 4 claims (4 independent, 3 dependent)	34/6	$2 \times 43 = \$86$	$4 \times 9 = \$36$
Response	11/15/04	No claim additions or cancellations	34/6	0	0

Total owed \$36

Please note the deficient amount of \$36.00 as a result of the error in calculating the fees for the July 19, 2004 response has already been charged to the applicant's deposit account on 12-10-04. All the independent claims in excess of 3 have been paid. Thus, the applicant requests a refund for the \$176 charge to applicant's deposit account on 12-10-04.

IV. MANNER OF REFUND

Please make refund by:

- crediting Deposit Account No. 18-0350.
- refunding payment.

Respectfully submitted,



Christopher R. Lewis; Reg. No. 36,201
Christian M. Bauer; Reg. No. 51,443
Attorneys for Applicants

CMB/dlk

- Attachment: Copy of the monthly statement on which the referred error is listed

Dated: January 4, 2005

<input checked="" type="checkbox"/> P.O. Box 980 Valley Forge, PA 19482 (610) 407-0700
<input type="checkbox"/> P.O. Box 1596 Wilmington, DE 19899 (302) 778-2600

DLK_1:\SSM\487US\REFUND REQUEST 122204.DOC



**United States
Patent and
Trademark Office**

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Deposit Account Statement

Requested Statement Month:	December 2004
Deposit Account Number:	180350
Name:	RATNER AND PRESTIA
Attention:	
Address:	P O BOX 980
City:	VALLEY FORGE
State:	PA
Zip:	19482

DATE	SEQ	POSTING REF	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
12/01	219	78468987	ITME-219TWTMA	8507	\$15.00	\$21,357.
12/03	302	78410650	ITFT-SAN107BR -ITFT-SAN10	8507	\$15.00	\$21,342.
12/03	303	78410621	ITFT-SAN107BR -ITFT-SAN10	8507	\$15.00	\$21,327.
12/06	4	10145209	TGR.103US	2251	\$55.00	\$21,272.
12/06	15	PCT/US04/37495	ZMC-105WO	1603	\$300.00	\$20,972.
12/06	312	78526853	SYT-111US	7001	\$335.00	\$20,637.
12/07	17	11003232	BBM-106US	1001	\$790.00	\$19,847.
12/07	18	11003232	BBM-106US	1202	\$432.00	\$19,415.
12/07	19	11003232	BBM-106US	1201	\$264.00	\$19,151.
12/07	914	78528091	ITFT-FLO103US	7001	\$335.00	\$18,816.
12/08	2	51437495		9204	-\$1,000.00	\$19,816.
12/08	88	10688018	MAK-106GB	8007	\$20.00	\$19,796.
12/09	148	76179153	JMYT-229US	7003	\$100.00	\$19,696.
12/09	310	2209244	EBI-020	7205	\$100.00	\$19,596.
12/09	311	2209244	EBI-020	7208	\$200.00	\$19,396.
12/09	387	78529253	UDL-117US	7001	\$1,005.00	\$18,391.
12/09	491	78529305	UDL-116US	7001	\$1,005.00	\$17,386.
12/09	523	78529320	UDL-115US	7001	\$1,005.00	\$16,381.
12/09	1378	1001003	ITFT-STD101US	7205	\$100.00	\$16,281.
12/09	1379	1001003	ITFT-STD101US	7201	\$400.00	\$15,881.
12/10	2	09720300	SSM-487US	2201	\$176.00	\$15,705.
12/10	2	10851537	WIC-2808US	1252	\$430.00	\$15,275.
12/10	3	09720300	SSM-487US	2202	\$36.00	\$15,239.
12/10	186	60634217	K&S-159USP	1005	\$40.00	\$15,199.
12/10	189	60634219	TYJS	2005	\$20.00	\$15,179.
12/10	418	76389434	CMF-101	7004	\$150.00	\$15,029.
12/10	447	76389434	CMF-101	7003	\$100.00	\$14,929.
12/10	481	PCT/US02/26818	SAR 13977PCT	1604	\$210.00	\$14,719.

12/13 26	10243395	ITTD-103US	1501	\$30.00	\$14,689.
12/13 27	10390420	193790	1201	\$318.00	\$14,371.
12/13 29	10336595	KPG-5065US	8001	\$30.00	\$14,341.
12/13 29	10390420	193790	1202	\$50.00	\$14,291.
12/13 36	PAYMENT		9203	-\$5,000.00	\$19,291.
12/13 55	10290623	KPG-5066US	8001	\$30.00	\$19,261.
12/13 58	10044261	KPG-5045US	8001	\$30.00	\$19,231.
12/13 61	10747643	KPG-5096US	8001	\$30.00	\$19,201.
12/13 64	10625229	KPG-5090US	8001	\$30.00	\$19,171.
12/13 70	11007512	BLS-02US	2311	\$69.00	\$19,102.
12/13 72	11007512	BLS-02US	2202	\$100.00	\$19,002.
12/13 74	10661236	KPG-5084US	8001	\$30.00	\$18,972.
12/14 12	10467576	MTS-3451US	1501	\$12.00	\$18,960.
12/14 14	10467576	MTS-3451US	8001	\$18.00	\$18,942.
12/14 17	10686892	K&S-121TW	8001	\$30.00	\$18,912.
12/14 138	10920532	DTG-108US	8021	\$40.00	\$18,872.
12/14 156	10498711	ITC-325US	2251	\$5.00	\$18,867.
12/14 349	1939377	ITFT-BG101US	7205	\$100.00	\$18,767.
12/14 350	1939377	ITFT-BG101US	7201	\$400.00	\$18,367.
12/15 1	10920532	DTG-108US	1051	\$130.00	\$18,237.
12/15 434	76339907	IMG-101	7003	\$100.00	\$18,137.
12/16 10	10981118	NSG-240US	1202	\$36.00	\$18,101.
12/16 593	76271466	ARS-101	7004	\$150.00	\$17,951.
12/17 3	09740382	MATP-593US	1806	\$180.00	\$17,771.
12/17 139	10747643	KPG-5093US	8007	\$20.00	\$17,751.
12/17 180	08293470	SHK-905	8008	\$200.00	\$17,551.
12/17 222	10736364	KPG-5093US	8007	\$20.00	\$17,531.
12/17 385	78533931	SSM-533	7001	\$1,005.00	\$16,526.
12/17 423	0192958	LPC-140	7205	\$100.00	\$16,426.
12/17 424	0192958	LPC-140	7201	\$400.00	\$16,026.
12/20 3	PCT/US04/36655		9204	-\$700.00	\$16,726.
12/22 166	1309663	ITFT-MRL122US	7205	\$100.00	\$16,626.
12/22 167	1309663	ITFT-MRL122US	7201	\$400.00	\$16,226.
12/22 168	1309663	ITFT-MRL122US	7206	\$100.00	\$16,126.
12/22 169	1309663	ITFT-MRL122US	7203	\$100.00	\$16,026.
12/22 302	78262953	DNL-100US	7003	\$200.00	\$15,826.
12/27 104	11018335	KPG-5118US	1202	\$50.00	\$15,776.
12/27 155	10747643	KPG-5093US	8007	\$20.00	\$15,756.
12/28 36	78468987	ITME-219USTMA	8507	\$180.00	\$15,576.
12/28 313	10478940	JMYT-313US	8001	\$30.00	\$15,546.
12/30 32	1909630	SYK-900	8521	\$40.00	\$15,506.
12/30 33	1909630	SYK-900	8522	\$150.00	\$15,356.
12/30 232	0129250352	TCO1-104MX	8014	\$25.00	\$15,331.
12/30 275	78236944	BWC-123US	7003	\$100.00	\$15,231.
		START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
		\$21,372.24	\$12,841.00	\$6,700.00	\$15,231.24

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

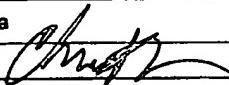
Total Number of Pages in This Submission **7**

Application Number	09/720,300
Filing Date	April 9, 2001
First Named Inventor	Hans R. Brunner
Art Unit	3762
Examiner Name	Frances P. Oropeza
Attorney Docket No.	SSM-487US

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): Copy of December Deposit Account Invoice, Postcard
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Remarks:**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Firm Name	RatnerPrestia		
Signature			
Printed Name	Christopher R. Lewis		
Date	January 4, 2005	Registration No.	36,201

CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or Printed Name	Debra L. Kelly	Date	January 4, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

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Appn. No.: 09/720,300
 Amendment Dated November 15, 2004
 Reply to Office Action of November 4, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appn. No: 09/720,300
 Applicant: Hans R. Brunner et al.
 Filed: April 9, 2001
 Title: DEVICE FOR INTERMITTENT COMPRESSION
 TC/A.U.: 3762
 Examiner: Frances P. Oropeza
 Confirmation No.: 2492
 Docket No.: SSM-487US

AMENDMENT

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:
 Responsive to the Office Action dated October 19, 2004, please amend the above-identified application as follows:

- Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.
- Remarks/Arguments begin on page 8 of this paper.

Adjustment date: 02/22/2005 SDIRETAI
 12/10/2004 ENIMMONS 00000002 180350 09720300
 01 FC:2201 176.00 CR

02/06/2005 ENIMMONS 00000002 180350 09720300

w/fee

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